

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CRIMINAL NO. 22-162 (DSD/TNL)

United States of America,

Plaintiff,

v.

ORDER

Joshua Gunnar Olson,

Defendants.

This matter is before the court on the objection by the government to the June 16, 2025, report and recommendation of Magistrate Judge Douglas L. Micko, concluding that defendant Joshua Gunnar Olson is competent to proceed to trial.

The district court will modify or set aside a magistrate judge's order on a nondispositive issue only if it is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); D. Minn. L.R. 72.2(a).

The government does not challenge the R&R's determination that Olson is competent to stand trial. Instead, the government argues that the court should disregard comments in the R&R relating to a previous competency determination in this case. Because the court did not consider such comments in the context of assessing the Olson's current competence, the objection is overruled. That said, the magistrate judge is free to explore any issues arising

from the previous competency hearing and the court will not curtail his ability to do so.

Accordingly, based on the above, **IT IS HEREBY ORDERED** that:

1. The R&R [ECF No. 172] is adopted in its entirety;
2. The objection [ECF No. 177] to the R&R is overruled; and
3. Olson is competent to proceed to trial under 18 U.S.C. § 4241(a).

Dated: July 1, 2025

s/David S. Doty
David S. Doty, Judge
United States District Court